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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,906	10/18/2001	Kevin Owen	10012753-1	8521

7590 06/27/2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

BLACKMAN, ANTHONY J

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 06/27/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,906

Applicant(s)

OWEN, KEVIN

Examiner

ANTHONY J BLACKMAN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 4 is objected to because of the following informalities: a typing error was made that seems to have left out the word "be" at the end of line 2 after the preposition to. Appropriate correction is required. Claim 4 will be evaluated as best understood by examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4 and 6-11, 13-17 and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by YONEZAWA, US Patent No. 6,271,805.
4. As per claims 1, 9, 14 and 19 YONEZAWA disclose a method and system for facilitating a display of a graphic on an electrical device (column 1, lines 45-57), comprising the steps of:

receiving an identification of graphical data representing the graphic (figure 6, column 3, lines 3-8, column 5 lines 14-49); and facilitating transmission of the graphical data

representing the graphic to the electrical device such that the electrical device can display the graphic (figures 15-20, column 3, line 50-column 4, line 40).

5. As per claim 2 YONEZAWA meets limitations of claim 1 and discloses the following limitation wherein the step of receiving an identification comprises receiving an identification of a location of the graphical data (figure 19, column 3, line 50-column 4, line 40).

6. As per claims 3 and 10, YONEZAWA meets limitations of claims 2 and 9, in addition to the following limitation wherein the graphical data is located at a remote location that is accessible via a network (figures 1-2, and 19 and column 3, line 58-column 4, line 26).

7. As per claims 4, 11, 15 and 20, YONEZAWA meets limitations of claims 1, 9, 14 and 19, in addition to the following features wherein the step of facilitating transmission of the graphical data comprises transmitting the graphical data along with a job to be performed by the electrical device (figures 15-20, column 3, line 50-column 4, line 40).

8. As per claims 6 and 13, YONEZAWA meets limitations of claims 1 and 9, in addition to the following feature further comprising the step of receiving an indication of how the graphic is to be displayed by the electrical device (figures 15-17).

9. As per claims 7 and 16, YONEZAWA meets limitations of claims 6 and 14 including the following limitation wherein the step of receiving an indication of how the graphic is to be displayed comprises receiving an indication of an electrical device state during which the graphic is to be displayed (figures 15-20, column 3, line 50-column 4, line 40).

10. As per claims 8 and 17, YONEZAWA meets limitations of claims 7 and 14 including the following limitation wherein the electrical device state comprises one of an initialization state, a ready state, an operating state, and a power save state (figure 16 disclose at least an operating state).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 5, 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over YONEZAWA, US Patent No. 6,271,805 in view of GABLER et al, US Patent no. 6,300,959

12. As per claims 5, 12 and 18, YONEZAWA meets limitations of claims 1, 9 and 14, however, does not expressly teach graphical comprising two or more frames in GIF89a format that can be displayed in sequence to create an animation. GABLER et al disclose the equivalent means of wherein the graphical data comprises two or more frames in GIF89a format that can be displayed in sequence to create animation (figures 1-2, column 1, lines 56-65, column 2, lines 35-47). It would have been obvious to one skilled in the art at the time of the invention to utilize the method and system condensing animated images in order to accelerate delivery of data/graphics over the Internet in order to reduce storage space as well as accelerate delivery to end users as taught by

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GABLER et al with the communication apparatus and method, including "... a communication apparatus and method which improve operability in selectively displaying images received from a plurality of video transmission terminals" (column 1, lines 54-57) as taught by YONEZAWA because both inventions share similar technological environments associated with reception and transmission of graphical data over the Internet. Therefore, it would be obvious to modify YONEZAWA with GABLER et al.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. LUM et al, US Patent No. 6,065,041. TAAFFE et al, US Patent No. 5,046,027. NISHIMURA, US Patent Application Publication, Pub. No.; US 2002/0051181. YONEZAWA et al, US Patent No. 6,483,878. YAMAMOTO et al, US Patent No. 6,466,183.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY J BLACKMAN whose telephone number is 703-305-0833. The examiner canthermally be reached on FLEX SCHEDULE.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MATTHEW BELLA can be reached on 703-308-6829. The fax phone numbers for the organization where this application or proceeding is assigned are 703-

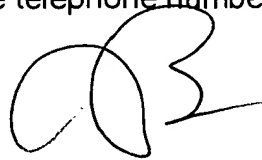
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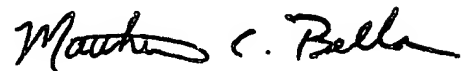
872-9314 for regular communications and 703-746-5731 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



ANTHONY J BLACKMAN
Examiner
Art Unit 2676

June 24, 2003



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600